

## THE CITY OF CLAYTON

Board of Aldermen  
Virtual Zoom Meeting  
May 21, 2021  
3:00 p.m.

### Minutes

**NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.**

Mayor Harris called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Rich Lintz, Ira Berkowitz, Bridget McAndrew, Susan Buse, and Becky Patel.

Mayor Harris  
City Manager Gipson  
City Attorney O'Keefe

### AN ORDINANCE CALLING FOR AN ELECTION ON AUGUST 3, 2021, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CLAYTON A QUESTION OF INCREASING THE CITY'S PROPERTY TAX TO FUND ESSENTIAL CITY SERVICES

City Manager Gipson reported that the City's general fund provides most of the revenue necessary to provide the services the citizens of Clayton rely on to sustain their health, safety and welfare, create and maintain critical public infrastructure, and offer unique and valued enhancements to the quality of life available to every Clayton resident.

The City's property tax rate dedicated to general purposes has not been increased since 1991, while the cost of providing the high-quality services Clayton residents enjoy has risen steadily to the point that the City's general fund cannot be counted on to sustain current levels of service without additional revenue.

Approval of this ordinance will place the following proposition on the ballot for consideration by the voters of the City of Clayton, Missouri, at the election to be held on August 3, 2021;

### PROPOSITION A

Shall the City of Clayton be authorized to increase its property tax upon all subjects and objects of taxation within the City by eighteen cents (\$.18) on the one hundred dollars assessed valuation for general municipal purposes including paying increased costs associated with the provision of public safety services, parks and recreation facilities and programs, public works and infrastructure maintenance and improvement, solid waste collection and other services for the health, safety and welfare of the citizens of Clayton?

\_\_\_ YES

\_\_\_ NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES". If you are opposed to the question, place an X in the box opposite "NO".

Staff recommendation is to consider the proposed ordinance to submit a general property tax increase to the voters of Clayton on August 3, 2021.

Dr. Andrew Galakatos, resident, expressed concern that this would be a 30% increase in taxes and that this is not the right time to do this; he suggested deferring the proposal until the November election and for the City properly inform its citizens.

Ms. Anne Martin, resident, expressed concern over the proposed increase of taxes stating that it would be an additional \$3,000 out-of-pocket expense for her and referenced the additional increase going to the Police Department.

Mayor Harris noted that 30% is incorrect and there is no proposed increase due to the Police explaining that the proposed increase is to "shore up" the City's general fund. She explained the timing of the election is due to the City's budget calendar year.

City Manager Gipson explained that the City's fiscal year begins October 1, therefore from a financial planning standpoint going to the voters in August, prior to the new fiscal year would be much more beneficial and could help staff prepare (numbers) for the new fiscal year.

City Attorney O'Keefe stated that not only is the November election out of sync with the budget year but the tax rate for 2021 has to be submitted to the County by October 1 which means an increase authorized in November could not be effectuated in the year in which the voters approved it; therefore, the City would lose a year of revenue automatically due to when the election is held. He said that with respect to process issues, referencing Mr. Zimmerman, the County assessor, state law requires that taxing entities like the City when the assessor increases the assessed value of a property, taxing districts like the City are required to reduce the rate of their tax in order to only generate the same amount of revenue that they would've gotten had the value of property not been highly assessed. In fact, the last time approximately 30 years ago the voters of Clayton approved a tax increase it was to increase the tax rate to \$.81 and because of the role back requirement of property values that increased the maximum rate now is approximately \$.42. We have lost about half of that taxing capacity because the rate has been rolled back each time the assessor has increased the assessed value of property and the increased assessment does not result in a higher tax bill to property owners.

Andrew Galakatos stated that the City will have greater citizen participation on the action of this tax increase by not having it for their convenience. He expressed concern that the City is holding a ballot for the special election in August versus November and there needs to be full disclosure and full knowledge for the citizens of Clayton.

City Attorney O'Keefe added that there is no general election in odd numbered years; therefore, it is best for the City to be on the August ballot.

Anne Martin commented on the assessments and how the tax bill has tripled in the last 30

years, and this would cause an extra \$3000 out-of-pocket.

City Attorney O'Keefe explained that every fall the City submits to the State auditor a computation that justifies that the City has "rolled back" its right sufficiently to not benefit from an increased assessment. There is inflationary growth allowed and over the past 30 years there has also been inflation which is allowed so that the revenue keeps pace with the cost of living, but it is still a reduced ratio of the value. The City goes through this exercise each year in the fall and it is all public.

Alderman Lintz clarified that those calculations are done at the "macro" level and not at the individual level, which that kind of effort is very time consuming and difficult. There are individual properties which will have some increase and other individual properties that will have some decrease.

In reference to the \$3000 amount mentioned, City Manager Gipson pointed out that on a single-family residence with a valuation of \$700,000 the proposed tax increase would be \$133.

Alderman Buse expressed appreciation to Alderman Berkowitz for taking out of his vacation time to attend today's meeting.

Alderman McAndrew, in referencing the development projects mentioned by Dr. Galakatos, that Janet Watson and David Gipson can pretty accurately predict the future in terms of how much money the City will gain in the general fund; the Centene project will be coming on soon with Forsyth Point and Residence Inn being currently built.

Alderman Buse was disconnected from the virtual meeting at 3:22 p.m.

Alderman Buse rejoined the meeting virtually at 3:23 p.m.

Alderman Berkowitz echoed Alderman McAndrew's comments. When citizens see the development and think that the City is receiving millions of dollars that is just not the case. He welcomed citizens to review the presentation and the numbers. The last year has been difficult, but we have good prognosis for the next 3-4 years, but we are still struggling.

**Alderman Lintz introduced Bill No. 6839, to approve calling for an election on August 3, 2021, for the purpose of submitting to the qualified voters of the City of Clayton a question of increasing the City's property tax to fund essential city services to be read for the first time by title only. Alderman Berkowitz seconded.**

**City Attorney O'Keefe reads Bill No. 6839, first reading, an Ordinance Calling for an Election on August 3, 2021, for the Purpose of Submitting to the Qualified Voters of the City of Clayton a Question of Increasing the City's Property Tax to Fund Essential City Services by title only.**

**The motion passed unanimously on a voice vote.**

**Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6839 on the day of its introduction. Alderman Berkowitz seconded.**

**The motion passed unanimously on a voice vote.**

**Alderman Lintz introduced Bill No. 6839, to approve calling for an election on August 3, 2021, for the purpose of submitting to the qualified voters of the City of Clayton a question of increasing the City's property tax to fund essential city services to be read for the second time by title only. Alderman Berkowitz seconded.**

**City Attorney O'Keefe reads Bill No. 6839, second reading, an Ordinance Calling for an Election on August 3, 2021, for the Purpose of Submitting to the Qualified Voters of the City of Clayton a Question of Increasing the City's Property Tax to Fund Essential City Services by title only.**

**The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6699 of the City of Clayton.**

**Alderman Berkowitz excused himself from the meeting at 3:27 p.m.**

#### PRESENTATION ON THE MUNICIPAL GARAGE STUDY

Matt Malick, Director of Public Works, provided a brief overview on the Municipal Garage study.

John Wulf, Assistant Director of Public Works, was in attendance (virtually).

Jim Stotlar and Morgan Perry, Oculus, provided the Board with a PowerPoint© presentation on the study.

#### DISCUSSION ON THE MUNICIPAL JUDGE/PROSECUTOR SELECTION PROCESS

City Manager Gipson provided the Board with a PowerPoint© presentation on the Municipal Judge and Prosecutor selection process.

The Board discussed minor revisions and will affirm the process, and the RFQs at the May 25 Board meeting.

**Motion made by Alderman Lintz to adjourn. Alderman McAndrew seconded.**

**The motion passed unanimously on a voice vote.**

There being no further regular business the meeting adjourned at 4:55 p.m.

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Mayor

ATTEST:

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City Clerk